

SENATE BILL 439

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5; Title 38 and Title 55, relative to the use of surveillance cameras on interstate highways and state rights of ways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-198(f), is amended by deleting the subsection and substituting instead the following:

(f)

(1) Surveillance cameras are not permitted on federal interstate highways except for:

(A) SmartWay cameras;

(B) Other intelligent transportation system cameras; or

(C) Surveillance cameras used to enforce or monitor traffic violations within work zones designated by the department of transportation when employees of the department or construction workers are present; provided, that the cameras are operated only by a state entity.

(2) Notwithstanding subdivision (f)(1), in accordance with applicable state and federal laws governing the use and management of highway rights-of-way and subject to the approval of the federal highway administration as required by federal law, surveillance cameras operated by law enforcement agencies are allowed on federal interstate highways and state roads as a non-highway use of the highway right-of-way for the purpose of aiding in criminal investigations or

searches for missing or endangered persons to the extent that such use is consistent with the continued use, operations, maintenance, and safety of the highway facility and does not interfere with the free and safe flow of traffic; provided, that these cameras are not used to enforce or monitor state or local traffic violations or issue citations for such violations.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.